

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 22-22707-CV-WILLIAMS

PAYCARGO FINANCE LP,

Plaintiff,

v.

ASPEN AMERICAN INSURANCE  
COMPANY, *et al.*,

Defendants.

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**ORDER**

**THIS MATTER** is before the Court on Magistrate Judge Eduardo I. Sanchez's Report and Recommendation (DE 75) ("**Report**") on Plaintiff PayCargo Finance LP ("**PCF**") and Defendant Aspen American Insurance Company's ("**Aspen**") cross motions for summary judgment (DE 45; DE 47) ("**Motions**"). In the Report, Judge Sanchez recommends that PCF's motion for summary judgment be granted in part and denied in part and that Aspen's motion for summary judgment be denied. (DE 75 at 2.) No objections were filed to the Report, and the time to object has passed.

Upon a careful review of the Report, the Motions, the record, and applicable law, it is **ORDERED AND ADJUDGED** that:

1. Judge Sanchez's Report (DE 75) is **AFFIRMED AND ADOPTED**.
2. Plaintiff PayCargo Finance LP's Motion for Summary Judgment (DE 45) is **GRANTED IN PART AND DENIED IN PART**. Specifically, summary judgment is granted in Plaintiff's favor on the issue of liability on its claim for breach of contract and is otherwise denied.

3. Defendant Aspen American Insurance Company's Motion for Summary Judgment (DE 47) is **DENIED**.
4. Trial in this matter is **RESET** for **July 15, 2024** at 400 North Miami Avenue, Courtroom 11-3, Miami, Florida. Calendar call will be held at 11:00 a.m. on July 9, 2024.

**DONE AND ORDERED** in Chambers in Miami, Florida, this 12th day of March, 2024.

  
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KATHLEEN M. WILLIAMS  
UNITED STATES DISTRICT JUDGE